

## **TITLE 2 – COUNTY SERVICES**

### **CHAPTER 1 HUMAN SERVICES**

#### **2-1-1: CONSOLIDATED AIDS**

The Green County Board of Supervisors authorizes the Green County Department of Human Services, with the approval of the State of Wisconsin, Department of Health and Social Services, to operate as a consolidated aid agency under §46.034, Wis. Stats. (R5-4-81)

#### **2-1-2: REPEALED AND RESERVED FOR FUTURE USE**

#### **2-1-3: EDUCATIONAL DISTRICT ESTABLISHED**

Green County shall hereafter be constituted a part of a vocational, technical and adult education district comprising Rock and Green Counties, this action is subject to approval by the State Board of Vocational Technical and Adult Education and the Coordinating Committee for Higher Education under the provisions of Chapter 38, Wis. Stats. (R4-18-68, eff. 7-1-68)

#### **2-1-4: FOSTER CHILDREN'S CARE**

The Green County Department of Human Services is hereby authorized to continue to provide payments for maintenance and educational expenses from the Department's foster care account to foster children when they reach age eighteen (18) to enable them to complete their high school educational plan or until they become twenty one (21) years of age, whichever occurs first. (R12-6-7; amd. 1982 Code)

#### **2-1-5: JUVENILE INTAKE WORKER**

The Green County Board of Supervisors hereby authorizes the Circuit Court for Green County to provide intake services required by §48.067, Wis. Stats. (R11-6-8)

#### **2-1-6: CHILD SUPPORT PROGRAM**

This program shall be administered and operated as set forth in §59.53(5), Wis. Stats., and in accordance with County Board Resolution 9-4-89 and 1-3-90, and Sections 7-3-2 and 7-3-3 of the Green County Code. (Ord. 90-1150)

#### **2-1-7: SUE FOR HOSPITAL FEES**

The Corporation Counsel shall, in the name of the County, sue for and collect from the property of any patient who is maintained at the hospital, at the cost of the County, or from any person legally bound to support said patient, the amount charged to Green County for such support. (Ord. 90-1160)

## **2-1-8: GENERAL RELIEF**

Green County shall bear the expense of maintaining all dependents therein, and all powers and duties imposed by Chapter 49, Wis. Stats., upon municipalities within Green County and shall be exercised and performed by Green County; all distinction between County dependents and municipal dependents being hereby abolished and such expenses for relief being made a County charge. (R4-21-54)

## **CHAPTER 2 HOME NURSING CARE AGENCY MERIT SYSTEM PERSONNEL POLICIES**

### **2-2-1: APPLICABILITY OF POLICIES**

These personnel policies are applicable to all full-time employees and part-time employees of the County Home Nursing Care Agency and will be administered by the Supervisory Nurse and Health Committee upon passage by the Green County Board of Supervisors.

### **2-2-2: EQUAL EMPLOYMENT OPPORTUNITY**

Discrimination against any person in recruitment, examination, appointment, promotion, retention, discipline or any aspect of personnel administration because of political and religious opinions or affiliations, race, national origin or other discriminatory factors is prohibited. Discrimination on the basis of age or sex or physical disability is also prohibited, except when a specific age, sex or physical requirements constitute a bona fide occupational qualification requirement. In all future external recruitment sources utilized (newspapers, professional journals, etc.) a statement *"This County is an Equal Opportunity Employer"* shall appear in that advertisement.

### **2-2-3: DISCIPLINE**

If disciplinary action is being considered against an employee, it will be first discussed informally. If the conduct persists on the employee's part, whatever action is contemplated must be transmitted to the affected employee in writing. That action is subject to appeal. The appeals structure consists of:

First	the Supervisor
Second	the Health Committee
Third	the Committee charged with personnel matters for the County

### **2-2-4: POLITICAL ACTIVITY**

Every employee has the right to freely express his/her views as a citizen and to cast his/her vote. Coercion for political purposes of and by employees of Federally-aided programs and use of their position for political purposes are prohibited. Participation in partisan political activity by an employee subject to these standards is prohibited with respect to activity prohibited in Federally grant-aided programs under the Federal Hatch Political Activities Act, as amended by U.S.C. 1501-1508.

#### **2-2-5: CLASSIFICATION**

The Green County Health Committee shall establish and maintain a classification plan based upon the duties and responsibilities of each position and employ persons paid in accordance with the classification plan, which shall include for each classification and appropriate title, a description of those duties and responsibilities, and the minimum requirements of educational experience and other qualifications. Each position in the agency shall be allocated, reallocated or reclassified to a classification established in the plan in accordance with established procedures. Such procedures must insure that actions are based upon available facts and designed to insure the integrity of the classification system.

#### **2-2-6: COMPENSATION**

All employees of this Agency shall be paid at the prevailing rate for similar jobs in the recruiting area with appropriate relationships between job levels being reflected in the salary paid.

Documentation pertaining to the hiring of any individual above the established minimum shall be maintained in that employee's personnel file.

#### **2-2-7: RECRUITMENT, SELECTION AND APPOINTMENT**

The Supervising Nurse, with Health Committee approval, shall have the responsibility of making all appointments in accordance with the following recruitment procedures.

Whenever there is a permanent job opening within the Agency, as a result of a termination, promotion or the creation of a new position, the Green County Health Committee shall determine the method of recruitment. It shall then issue and post a job opening notice in all job headquarters within the County for seven (7) calendar days and shall have said notice published at least once during the prescribed recruitment period in an appropriate newspaper. It may in addition require or conduct any further recruitment efforts it determines are necessary. Each job opening notice and publication shall contain the job title, the rate of pay, the kind of work to be performed, the qualification standards, the place to obtain and send applications and the closing date for filing.

Applicants who indicate interest in the announced position will be required to complete and submit an official application form to the Supervisory Nurse and shall be considered for the position on the basis of qualifications (training and experience) and ability.

The Green County Health Committee may conduct or establish whatever type of evaluation process or examination procedure for each position it deems most applicable to determine the best qualified candidates. The preceding may include a written or oral examination, a rating of training and experience, etc., or any combination thereof.

#### **2-2-8: PROBATIONARY PERIOD**

There shall be a six (6) month probationary period immediately following the date of original employment, during which time employment may be terminated by the employer or employee without prejudice to the employees work record.

To serve as an extension of the selection process by providing a working test of fitness and ability, all newly hired employees shall be placed on a six (6) month probationary period and current employees who are promoted by the Health Committee may be required to serve a three (3) month trial period. At any time during the probationary or trial periods, the appointing authority may discharge a new employee or return a promoted employee to his/her former position and rate of pay

without the right of appeal. An employee who has previously acquired tenure in a class can only be discharged for cause.

#### **2-2-9: CAREER ADVANCEMENT**

Periodic performance evaluations of all employees shall be conducted by the Supervisory Nurse. The evaluation shall be discussed, signed by both supervisor and employee to indicate it was discussed, and a copy given to the employee along with one maintained in the employee's personnel file.

The Agency will make time available to staff for training required by the division. The division will make every effort to aid agencies, financially and otherwise, in accomplishing this training.

When in the best interest of the service, it is determined to fill a position by promotion, consideration will be given to the eligible permanent employees in the Agency or in the career service and the selection will include evaluation of their demonstrated capacity, quality and length of service.

It shall be the policy to encourage professional development and staff education. The Supervisory Nurse shall encourage staff members to attend professional meetings, rotating attendance when possible; and shall employ recognized elements of professional education, including staff meetings; evaluation and progress reports; and review of policies and procedures.

#### **2-2-10: LAYOFFS AND SEPARATIONS**

- A. Period of Notice, Termination: When an employee's services are terminated for any reason, two (2) weeks' notice shall be required of the local health department for professional employees and clerical and other employees.
- B. Period of Notice, Resignations: Two (2) weeks' notice of intended resignation shall be required of the professional staff. Two (2) weeks' notice of intended resignation shall be required of the clerical staff and other employees. It is expected that employees will give as much notice as possible in order to facilitate recruitment and orientation of new staff members.
- C. Resignations, Form: Resignations shall be in writing. If the Green County Board determines that the number of authorized filled positions must be reduced because of a shortage or stoppage of work or funds, employees shall be laid off by classification. The Supervisory Nurse and the Green County Health Committee shall determine the functional employee units and classes to be included in the layoff. Employee performance or staff shall be included in determination of layoffs. All emergency and original probationary employees in such classes must be terminated prior to implementation of layoff procedures. Employees in the affected layoff units and classes shall then be notified, in writing, of the layoff and made aware of reinstatement rights.

#### **2-2-11: REINSTATEMENTS**

- A. An employee who has tenure, and voluntarily terminates his/her employment by written notice shall be eligible for permissive reinstatement at the option of the appointing authority to any class level up to and including the highest in which he/she attained tenure prior to his/her separation, provided it is determined that the employee still meets the qualification standards of the position.
- B. An employee who has been laid off or demoted in lieu of layoff shall have priority and shall be reinstated when a vacancy for which he/she is qualified occurs in the agency, according to

the inverse order of the layoff. A former laid-off employee who had indicated his/her intention to return to employment loses his/her reemployment right if he/she does not return to work within ten (10) days after notification.

- C. An employee with tenure who separates to serve in an elected political capacity shall be eligible for permissive reinstatement within one year after leaving the elected office.

#### **2-2-12: PERSONNEL RECORDS AND REPORTS**

- A. This Agency shall maintain personnel records for each employee, showing name, title, salary, change in status, annual performance reports, and such other personnel information as may be necessary for effective personnel administration and for compliance with applicable State and local requirements as well as the Federal Merit System Standards.
- B. Personnel records other than name, classification, title and salary shall be confidential and shall be available only to the employee or the employee's designee, the Agency's administrative supervisory staff and Agency Board members and authorized Federal or divisional representatives who have cause to review such records for an official program or personnel transaction.

#### **2-2-13: ATTENDANCE AND LEAVE**

Application for a leave without pay shall be filed by an employee who may be allowed such for a period not to exceed six (6) months, subject to the recommendation of the Supervisory Nurse and the approval of the Green County Health Committee before becoming effective.

Leave without pay may be granted for educational purposes where direct or indirect benefit accrues to this Agency or maternity cases and exceptional personal reasons; such leaves may be extended based upon the merits of the individual case. A properly executed leave without pay shall accord the employee the right to return to his/her position upon expiration of the leave. If it is found necessary to fill the position during that interim, the new employee shall vacate the position upon the return of the absent employee.

- A. Educational Leave: Leave of absence without pay for further study may be allowed as agreed upon by the employee and the Green County Health Committee. It is expected that the employee shall return to this Agency or give three (3) months' notice that he/she will not return.
- B. Maternity Leave: The beginning and end of such leave shall be determined by the Supervisory Nurse after a conference with the employee and consideration of the recommendations of the employee's physician. Final approval rests with the Green County Health Committee. Accumulated sick leave may be used for maternity leave. Accumulated annual leave may be used immediately preceding the maternity leave period.
- C. Fringe Benefits: All fringe benefits shall comply with Pleasant View Nursing benefits.

#### **2-2-14: APPEALS**

Any disciplinary action taken by the Health Committee is subject to appeal, provided such is made, in writing, to the Supervisory Nurse who is responsible for either resolving the difficulty, or if this is not possible, for arranging a place on the agenda for the appellant at the next regularly scheduled meeting of the Health Committee for further discussion and possible resolution. If the employee is not satisfied with the decisions of the Supervisory Nurse or the Health Committee, he/she may then

request a place on the agenda of the Personnel Committee at its next meeting. The decision of that body will be binding. (R7-9-74)

**2-2-15: HOME CARE FEES**

The Green County Health Committee shall determine and from time to time adjust fees to be charged to individuals receiving home health care from the Green County Home Nursing Care Agency. (1982 Code)

**CHAPTER 3  
COMMUNITY MENTAL HEALTH, MENTAL  
RETARDATION, ALCOHOLISM AND DRUG ABUSE  
SERVICES**

**2-3-1: ESTABLISHMENT**

Pursuant to §51.42, Wis. Stats., there is hereby established a community mental health, mental retardation, alcoholism and drug abuse program for Green County.

**2-3-2: PURPOSES**

The program hereby created shall identify, develop, provide, or cause to be provided such services as are necessary to the prevention or amelioration of mental disabilities, including but not limited to mental illness, mental retardation, alcoholism and drug abuse. It shall facilitate the use of community resources to the fullest extent through unity of management, control and fiscal responsibility.

**2-3-3: BOARD OF DIRECTORS**

The Green County Human Services Board shall have charge of the operation and administration of the program. Subject to the provisions of §51.42, Wis. Stats., and any amendments thereof, and HFS 34.01, HFS 61.20, HFS 62.01, and HFS 83.21, Wisconsin Administrative Code, the Board of Directors shall have the powers and duties set forth herein and shall specifically:

- A. Assume the responsibility of any Board of Trustees functioning in or for this County in the government of a hospital established under §46.18, Wis. Stats.;
- B. Adopt as its own the approved plans and budgets of the aforementioned activities, which have been approved or accepted by the Wisconsin Department of Health and Social Services;
- C. Be authorized to receive and disburse funds;
- D. Negotiate and execute such contracts for the provision or securing of resources as may be necessary to the development or maintenance of services;
- E. Be authorized to seek immediate initial approval of its plan and budget by the Wisconsin Department of Health and Social Services so as to maximize State financial participation in the defraying of the costs of services provided hereunder;

- F. Be directed to develop a plan for the provision of services in accordance with the requirements of §51.42(7), Wis. Stats., within twelve (12) months from the date of initial approval.

The Board shall avail itself of the services and capabilities of the area-wide Health Planning Council in developing the plan.

**2-3-4: FINANCES**

- A. The program shall be financed by such funds as may be available through public and private sources; and the Board is authorized to accept private donations and to request and receive State and Federal grants-in-aid in addition to County funds.
- B. The Board of Directors shall plan its financial operations on a calendar year basis; and each year it shall submit its proposed budget for the next calendar year to the County Board of Supervisors prior to October 1.
- C. The expenses incurred in the operation of the program shall be paid by the County Clerk and charged by him/her against the appropriations and other funds credited to the program. Said Clerk shall receive, deposit and credit to the separate account of said program all funds paid over for the said program's operations by any source.

**2-3-5: REPORTS**

The Board of Directors shall make an annual report to the County Board of Supervisors, and it shall make or cause to be made such reports as may be required by pertinent Statutes.

**2-3-6: CONTRACT**

The existence or establishment of a program in combination with any other county or counties shall necessitate the execution of a written contractual agreement binding each county to perform its several and mutual obligations as set forth in this Chapter.

**2-3-7: DESIGNATION OF DEVELOPMENTAL DISABILITIES BOARD**

The County Board of Supervisors, pursuant to §51.437(4)(a), Wis. Stats., hereby provides that the Green County Human Services Board is hereby designated as the Developmental Disabilities Board with all the powers and duties specified under §51.437, Wis. Stats.

**2-3-8: ADVISORY BOARD**

The Green County Human Services Board may set up such advisory boards as it deems advisable in the areas of mental health, mental retardation, alcoholism, and drug abuse. (10-30-73; amd. 1982 Code)

**CHAPTER 4  
REPEALED AND RESERVED FOR FUTURE USE**

**CHAPTER 5  
PUBLIC DEFENDER INDIGENCY EVALUATIONS**

**2-5-1: DESIGNATION OF RESPONSIBLE OFFICER**

The Green County Board of Supervisors, in accordance with §977.07(1), Wis. Stats., hereby designates the office of the State Public Defender as the responsible office for making indigency determinations in and for Green County. The Green County Clerk may make indigency determinations in and for Green County, at the request of the State Public Defenders Office or its designated agent. The Green County Clerk is directed to seek reimbursement to Green County for costs of performing indigency determinations, at the request of the State Public Defenders office or its designated agent.

**2-5-2: COMMITTEE RESPONSIBILITY AND ASSISTANCE**

The Green County Clerk shall keep the Green County Resolutions, Legislative and Judicial Committee informed of the number of indigency determinations being made at the request of the State Public Defenders Office or its designated agent in Green County, the cost therefore, and the reimbursement policy of the State. The Green County Clerk shall make recommendations to said Committee regarding any further changes which may appear necessary or beneficial regarding the designation of an office, officer, Board, department, or agency to make indigency determinations in Green County. The Green County Corporation Counsel shall advise and assist the Green County Clerk as may be necessary in the performance of duties and responsibilities pursuant to this Chapter. (Ord. 90-1170)

**CHAPTER 6  
REPEALED AND RESERVED FOR FUTURE USE**

**CHAPTER 7  
PLEASANT VIEW NURSING HOME; FIRE SERVICE**

**2-7-1: FIRE SERVICE AGREEMENT**

- A. The City of Monroe hereby agrees to keep and maintain suitable fire apparatus to consist of not less than one thousand (1,000) GPM fire pumper completely equipped with necessary modern tools for fire fighting; and one, seventy five foot (75') aerial truck with booster tank, pump and also equipped with necessary modern tools of fire fighting particular to type carried on aerial trucks. The City of Monroe further agrees to answer, respond and attend all fire alarms or calls without unnecessary delay which come from the Pleasant View Nursing Home or those in authority thereat. Said response shall be in numbers of not less than ten (10) firemen per fire fighting unit, called by general city fire alarm method.
- B. If the Fire Chief or either of his/her assistant chiefs, upon his/her absence, deem it necessary to place a second alarm at the scene of the fire, the Monroe Fire Department will respond with a second fire pumper truck manned by not less than five (5) firemen.



- C. The City shall carry liability insurance on such members of its Department who respond to said alarms. It is further agreed that the said party of the first part shall be in no way liable to the party of the second part for any of the acts of its officers, agents or firemen in the performance of this contract.
- D. Payment of fire service call charges shall be the same rates as paid by any township for a fire service call within the township. No added charge shall be made for aerial truck or additional equipment or firemen over the then current base rate. This contract shall be in full force and effect until the same shall be canceled by the mutual consent of the parties involved; or until the service of the seventy five foot (75') aerial truck, in which the party of the second part has a valuable consideration, shall be expended.
- E. The Common Council of the City of Monroe, on the recommendation of the Fire Chief and Trustees of the Monroe Fire Department, shall determine when said aerial truck shall be considered obsolete and subject to replacement. (11-10-53)

## **CHAPTER 8 OUTDOOR RECREATION PLAN**

### **2-8-1: PLAN ADOPTED**

As Green County recognizes the need for a continuing outdoor recreation planning program based on sound planning principles and long-range goals and objectives for the community's recreational development; and as the Green County Board of Supervisors has requested the Southwestern Wisconsin Regional Planning Commission for assistance in developing a County-Wide Outdoor Recreation Plan for Green County; and said plan was prepared and thoroughly reviewed; and as said plan will serve as a guide for making future decisions related to the expansion and development of needed recreational areas in the County, the Green County Board of Supervisors hereby adopts the County portion of the Green County Outdoor Recreation Plan, as revised; and said County Board hereby requests the Department of Natural Resources to provide eligibility to Green County for participation in the LAWCON and ORAP Programs. (R12-10-74)

## **CHAPTER 9 COUNTY AID**

### **2-9-1: SOLDIERS' GRAVES**

Hereafter no claims for the care of graves shall be allowed by the Auditing Committee, unless:

- A. An affidavit shall be filed to the effect that all graves for which a claim is made have no perpetual care fund, or that relatives of the deceased are financially unable to pay for the care of the said graves.
- B. The Auditing Committee shall use ordinary precaution in allowing the said claims to the end that they are satisfied that the above facts are true. (R5-7-40)

**CHAPTER 10  
ENERGY ASSISTANCE PROGRAM**

**2-10-1: RESPONSIBLE AGENCY**

The Green County Board of Supervisors hereby designates the Human Services Department to distribute grants under the Emergency Fuel and Utilities Assistance Law under contract with the Wisconsin Department of Local Affairs and Development. The Department of Human Services shall be designated as the agency of record to administer the distribution of funds provided through loans and grants, as allocated through State and Federal Emergency Assistance Grant programs. (R10-5-9, R11-2-9)

**CHAPTER 11  
911 EMERGENCY NUMBERING SYSTEM (ENS)**

**2-11-1: EMERGENCY NUMBERING SYSTEM, SUPPORT**

The Green County Board of Supervisors hereby establishes its support for the 911 Emergency Numbering System (ENS) program. The Green County Law Enforcement Committee shall be the Committee of record for coordination of services, and shall plan for the implementation of the 911 System in Green County. The Green County Sheriff's Department is designated as the Emergency Services Receiving Station and Services Center for the entire County system. (R1-4-80)

**CHAPTER 12  
NON-COUNTY FUNDED PROGRAMS AND SERVICES**

**2-12-1: COUNTY BOARD APPROVAL**

No officer, official, employee or agent of Green County or any County Department shall contract for, apply for, obtain or institute any programs or services within Green County which are funded by other than County funds and revenues unless the following procedure is complied with:

- A. Approval for the program or services must first be obtained from the Committee or Board responsible for overseeing programs or services of the type involved.
- B. Before approving of any such programs or services, the Committee or Board must be informed of all statutory and administrative rules and regulations pertaining to the program or services, and of the duration of funding and of the likely effects on the County at the end of such funding.
- C. The Committee or Board must report to the County Board of Supervisors at the first County Board meeting following Committee or Board approval, in writing to be read by the Clerk as a "communication" to the Board, and to be filed with the official minutes of the County Board meeting, the following information:
  - 1. The program or service applied for or initiated.
  - 2. The source and level of funding anticipated.
  - 3. The duration of the non-County funding.

4. A tally of the roll call vote approving the program indicating the members of the Committee or Board voting for or against the same.
5. A reference to the statutory or administrative regulations or enactments governing the program and the location where these regulations can be found for inspection by anyone interested in reading them. (R9-1-80)

## **CHAPTER 13 SOLID WASTE MANAGEMENT SYSTEM**

### **2-13-1: PURPOSE**

The purpose of this Chapter is to create a County-wide solid waste management system and to establish guidelines for implementation, management, administration and operation of such system. The primary activity of the County-wide solid waste management system shall be the procurement, development and operation of an approved site or sites for the disposal of solid wastes. Other solid waste management activities, such as collection, storage, transfer, processing, etc., shall be the primary responsibility of local municipalities within the County and their inhabitants.

### **2-13-2: STATUTORY AUTHORITY**

This Chapter is adopted pursuant to authority granted to counties under §59.70(2), Wis. Stats., and pursuant to the authorization contained in §66.0301, Wis. Stats.

### **2-13-3: JURISDICTION**

The solid waste management system is intended to be County wide, and all municipalities in the County may enter into contracts with the Solid Waste Management Board for the use of the Green County Municipal Landfill site.

### **2-13-4: SOLID WASTE MANAGEMENT BOARD**

The Solid Waste Management Board as established by Section 1-7-26 of the Code shall administer the Green County solid waste management system.

- A. Administrative Assistants: The Board shall be assisted on programs and policies by the following persons, none of whom however shall have voting privileges on Board decisions: (Ord. 83-610)
  1. The Green County Landfill Manager who, under the direction of the Board, shall be responsible for assuring that the Green County Municipal Landfill is operated efficiently and in accordance with County, State and Federal rules and regulations, and for enforcing and administering the provisions of this Chapter and any rules adopted hereunder, and who, in furtherance of these responsibilities, shall have, without limiting the generality of the foregoing, the following powers and duties:
    - a. Inspect materials brought to the Landfill for deposit and refuse the deposit of materials not in compliance with this Chapter.
    - b. Report any alleged violations of this Chapter and any rules adopted hereunder to the Board and Corporation Counsel for prosecution. (Ord. 89-12-10)

2. Representatives of all user municipalities shall be advised and consulted with respect to major decisions relating to land acquisitions, financing alternatives and operational plans. The Clerk of each using municipality shall be notified of all meetings of user representatives.
3. The Board may call upon other County employees or officers, or employees or officers of using municipalities, for advice and assistance in the management, operation and development of the Green County Municipal Landfill site.
4. Copies of all minutes of landfill user representative meetings shall be provided to the Clerk of all using municipalities on a timely basis.

B. Powers, Duties and Responsibilities:

1. The Board shall develop plans for solid waste management within Green County to ensure that an effective, efficient and environmentally acceptable solid waste disposal site is available for use by the municipalities within Green County.
2. It shall be the responsibility of the Board to oversee the development and operation of the Green County Municipal Landfill site, and to plan for the acquisition, development and licensing of alternative or successor sites when necessary.
3. The Board may employ such staff as it deems necessary to assist in the administration and operation of the solid waste management system, subject to other provisions of this Code and any applicable resolutions, rules or orders adopted by the Green County Board of Supervisors.
4. The Board may sue and defend in the name of the County any cause of action involving the interest of the Solid Waste Management Board and may employ the Green County Corporation Counsel for that purpose.
5. The Board may acquire by purchase or lease all equipment and materials deemed necessary for operation and maintenance of the Green County Municipal Landfill site, contract with the Green County Highway Department, or any other contractor for operation of such equipment, and enter into agreements with the Green County Highway Department or any other contractor for operation, construction, or maintenance of any disposal site or facility, or portion thereof; however, any agreements with private contractors shall be subject to applicable approval procedures contained in this Code.
6. To charge a reasonable fee to participating municipalities for the cost of operating the Green County Municipal Landfill site, and further to charge a reasonable fee for the County's capital outlay and borrowing costs incurred in the acquisition, development, and construction of the Green County Municipal Landfill site.
7. The Board shall prepare and submit to the County Board an annual budget which details proposed expenditures and revenues for the ensuing calendar year.
8. The Board shall prepare and transmit to the County Board an annual report on or before April 1 of each year, summarizing the past year's activities relating to the operation of the Green County Municipal Landfill site.

9. The Board may engage in, sponsor or co-sponsor research and demonstration projects intended to improve the techniques of solid waste management or to increase the extent of reuse or recycling of materials and resources in Green County.
10. The Board may utilize or dispose of by sale or otherwise any and all products or by-products of the solid waste management system.
11. The Board may engage in discussions with representatives of other counties regarding joint or cooperative solid waste management.
12. The Board may engage and compensate consultants or other persons who could provide necessary expertise in solid waste management.
13. The Board may enter into agreements with municipalities for the treatment of leachate.
14. The Board may adopt rules of operation for the Green County Municipal Landfill site which are deemed necessary to the operation of said site and to safeguard the health and welfare of persons served and the public. Any such rules adopted by the Board shall be posted and available at the Green County Municipal Landfill site, and copies thereof shall be filed with the Green County Clerk and the Clerks of all the using municipalities. Violations of any such rules shall be deemed a violation of this Chapter of the Green County Code.
15. The Board may accept solid wastes generated outside Green County's boundaries, if, in the opinion of the County, such acceptance will primarily benefit the general public comprised of Green County's taxpayers and residents.
16. The Board shall ensure that the Green County Municipal Landfill site is operated in such a manner as will minimize possible nuisances to surrounding landowners. Specifically, the Board shall ensure that aesthetically appropriate landscaping is accomplished, that wells will be monitored and results sent to those affected, that complaints and debris resulting from landfill operations will be promptly taken care of, and finally, the Board shall consider the possibility of using the site as a public facility upon closure and termination of landfill operations.

## **2-13-5: FINANCES**

- A. County Appropriations: The County Board may from time to time appropriate by levy or borrowing such funds as may be necessary for the purchase of lease of sites, easements, necessary facilities and equipment for the development of the Green County Landfill site or successor sites. Any and all such appropriations, including borrowing costs and interest, shall be repaid to the County general fund by the using municipalities over the useful lifetime of any site, according to procedures, allocations and contractual arrangements as may be developed and implemented by the Solid Waste Management Board. The annual costs of operation and maintenance of the Green County Municipal Landfill site, including required escrows, closure costs, etc., shall be assessed on a user fee basis to the using municipalities according to allocations, procedures and contractual agreements as developed by the Solid Waste Management Board. No town, city or village which operates its own waste collection and disposal facility shall be subject to any tax levied to cover operational costs for the Green County Municipal Landfill site. The Solid Waste Management Board shall consult with the Green County Finance and Accounting Committee and Finance Director regarding the most efficient manner of accounting for, handling, and disbursing the

funds within its jurisdiction. In conjunction with the annual County budget process, the Board shall provide each using municipality with projected costs for the ensuing year.

- B. Monthly Audit: At least once each month, the Solid Waste Management Board shall audit all claims against the County incurred on behalf of the Board when presented to them, verified under oath by the claimant or his/her agent. When allowed in accordance with the approved budget of the Board, the Chairperson and secretary shall certify such claims to the County Clerk, who, upon approval of the Auditing, Bonding and Claims Committee, shall thereupon issue County orders for their payment. All purchases and contracts shall be governed by the appropriate provisions of this Code.
- C. Additional Municipal Users: The Solid Waste Management Board shall develop and promulgate a procedure by which new or additional municipal users may be allowed to participate in the use and operation of the Green County Municipal Landfill site. Such procedures shall ensure that new or additional users pay the reasonable pro rate share for development and acquisition costs incurred prior to their utilization of the Green County Municipal Landfill site.
- D. Limitations: The Solid Waste Management Board shall incur only those acquisition, development and operation costs which municipal users will reimburse to Green County, on a fee basis, within a reasonable time after the initial expenditures. The Board shall have no authority, on any basis, to levy taxes or borrow money for the solid waste management system from sources other than the Green County Board of Supervisors.

#### **2-13-6: PERMITS AND FEES**

No commercial solid waste hauler shall dump or deposit any solid waste at the Green County Municipal Landfill site without a permit therefor from the Solid Waste Management Board. Such permits shall expire on December 31 of each year and may be revoked for violation of any provision of this Chapter or rules established by the Solid Waste Management Board. Permit fees shall be fifty dollars (\$50.00) annually. (Ord. 83-610)

#### **2-13-7: OPERATING HOURS OF GREEN COUNTY MUNICIPAL LANDFILL SITE**

The Green County Municipal Landfill site shall be open for operation between the hours of seven o'clock (7:00) A.M. to three o'clock (3:00) P.M., Monday through Friday for residential and commercial use. Exceptions are legal holidays as authorized for County personnel. No dumping, covering, or other operations shall occur during any period of time when funeral services are occurring in Moore's Cemetery, or for one-half ( $\frac{1}{2}$ ) hour prior to or following such services, provided site manager is notified of said services by the Cemetery Association. (Ord. 90-1180)

## **2-13-8: PROHIBITED ACTIVITIES**

It shall be unlawful and a violation of this Chapter to do or cause to be done any of the following:

- A. Violate any rule, regulation or order promulgated by the Green County Solid Waste Management Board in accordance with this Chapter. (Ord. 83-610)
- B. Deposit or cause to be deposited or abandoned anywhere in Green County any solid or hazardous waste, refuse, garbage or other waste materials including tires except at solid waste facilities or landfills duly licensed by the Wisconsin Department of Natural Resources unless such deposit is performed in accordance with all applicable Federal, State, County and Municipal laws and regulations. (Ord. 89-12-10)
- C. Deposit or cause to be deposited in the Green County Municipal Landfill site any materials whatsoever generated other than within the boundaries of the municipalities which are authorized users of the Green County Municipal Landfill site unless approved by the Solid Waste Management Board.
- D. Salvage or remove or tamper with any matter from the solid waste management system unless authorized by the Solid Waste Management Board.
- E. Enter any area under the jurisdiction of the Solid Waste Management Board or introduce or attempt to introduce any solid or hazardous waste, refuse, garbage or other matter into any facility or receptacle served by or operated within the Green County Solid Waste Management system, except as authorized by the Solid Waste Management Board pursuant to rules adopted thereby. (Ord. 83-6-10)

## **2-13-9: SEPARATION OF WASTE**

- A. Findings of Fact: The present trend of increasing amounts of municipal solid waste being landfilled will lead to a shortage in landfill capacity that, if not addressed, will jeopardize the public health and welfare and the environment of Green County.
- B. Statement of Purpose: The purpose of this Section is to reduce the amount of municipal solid waste disposed of in the Green County Municipal Landfill and to encourage the recycling of recyclable materials so as to prolong the useful life of the Landfill and thereby protect the public health and welfare and the environment of Green County.
- C. Definitions: As used in this Section:

**LANDFILL and GREEN COUNTY MUNICIPAL LANDFILL:** Any facility owned and operated by Green County for the disposal of solid waste and shall include the site on which the facility is located.

**METAL:** Steel, brass, copper or other metal.

**MOTOR VEHICLE BATTERY:** The battery of any vehicle propelled by an internal combustion engine.

**MUNICIPALITY:** A town, city or village located wholly or partly within the boundaries of Green County, but does not include towns that are not authorized pursuant to §60.10(2)(c), Wis. Stats., to exercise village powers.

**PERSON:** Includes individuals, partnerships, associations, corporations, units of government and nonprofit organizations.

**RECYCLABLE MATERIALS:**

- A. Corrugated Cardboard;
- B. Glass bottles and jars;
- C. Aluminum containers and scrap in whatever form;
- D. Newspapers;
- E. High Density Polyethylene (HDPE) plastic containers;
- F. Polyethylene Terephthalate (PET) plastic containers;
- G. Metal containers and scrap in whatever form;
- H. Appliances;
- I. Waste oil;
- J. Waste tires;
- K. Motor vehicle batteries;
- L. Yard waste; and
- M. Such other materials as the Green County Solid Waste Management Board may determine by rule adopted in accordance with subsection 2-13-4-B-14 to be economically recyclable or necessary to prohibit in order to protect the public safety and welfare and the environment of Green County.

**WASTE OIL:** Any automotive engine oil after it is used and removed from the engine or crankcase of a motor vehicle, but before that oil is recycled.

**WASTE TIRE:** A tire that is no longer suitable for its original purpose because of wear, damage or defect.

**YARD WASTE:** Leaves, grass clippings, garden debris and brush, including clean woody vegetative material no greater than six inches (6") in diameter.

- D. Prohibited Deposits: On and after July 1, 1990, no person shall deposit or cause to be deposited in the Green County Municipal Landfill any recyclable materials unless such materials are brought to the Landfill separated from all other solid waste and in a manner conducive to recycling.
- E. Manner Conducive to Recycling Defined: All recyclable materials shall be brought to the Landfill in the following manner:
  - 1. Glass, aluminum, steel, HDPE and PET plastic containers shall be rinsed.
  - 2. Corrugated cardboard and newspapers shall be bundled.
  - 3. Yard wastes shall be placed in biodegradable containers such as paper bags, cardboard boxes or biodegradable plastic trash bags.
  - 4. Waste oil shall be placed in unbreakable, leak proof containers.
- F. Effective Recycling Program Required: On and after July 1, 1990, each municipality which desires to afford persons located within the municipality the opportunity to deposit in the Green County Landfill any solid waste which originates in or is generated, accumulated or collected in the municipality shall first adopt and provide an effective recycling program as defined in subsection G below approved by the Green County Solid Waste Management



Board requiring landfill users within the municipality to separate recyclable materials from all other solid waste in a manner conducive to recycling.

G. Effective Recycling Program Defined: An effective recycling program for a municipality shall mean a program which contains at least the following components:

1. A municipal ordinance that requires landfill users located within the municipality to separate in a manner conducive to recycling recyclable materials from all other solid waste.
2. An active and good faith effort to enforce the municipal ordinance enacted pursuant to this subsection.
3. Compliance with such other rules as the Green County Solid Waste Management Board may adopt in accordance with subsection 2-13-4-B-14.

H. Review and Approval of Municipal Recycling Programs:

1. The Green County Solid Waste Management Board shall review each municipal program enacted under subsection F hereof which is intended by a municipality to meet the requirements of this Section and shall approve those programs that meet such requirements, that are effective, that reasonably tend to conserve natural resources by reducing the amount of recyclable materials admitted to the Green County Landfill and that promote the recycling of such materials.
2. If the Green County Solid Waste Management Board determines that a municipality is not engaged in an active and good faith effort to enforce its ordinance enacted under subsection F hereof, the Board may suspend, limit or revoke approval of the municipality's recycling program.

I. Suspension of Recycling Requirements: If the Green County Solid Waste Management Board determines that market conditions are such that it is not economically feasible to recycle any recyclable materials designated in this Section, it may suspend the requirements of this Section as to such materials and allow such materials to be deposited at the Green County Municipal Landfill.

J. Violations Relative to Recycling:

1. On and after July 1, 1990, It shall be unlawful and a violation of this Section for any person to deposit or cause to be deposited in the Green County Municipal Landfill any recyclable materials unless such materials are separated from all other solid waste in a manner conducive to recycling.
2. On and after July 1, 1990, it shall be unlawful and a violation of this Section for any municipality, private hauler of solid waste, whether licensed by the Department of Natural Resources or not, or any other landfill user to deposit or cause to be deposited in the Green County Municipal Landfill any solid waste which originated in or was generated, accumulated or collected in any municipality which does not have in place an effective recycling program approved by the Green County Solid Waste Management Board according to the criteria set forth at subsection G hereof. (Ord. 89-12-10)

## **2-13-10: AMENDMENT OF ADMINISTRATIVE RULES**

The Solid Waste Management Board shall communicate to the Green County Board of Supervisors the contents of any solid waste management rules adopted by the Board under this Chapter, and any Supervisor may present a resolution for amendment thereof directly to the County Board, which may act thereon by so amending the rule in question or by suspending the rule and referring the matter back to the Solid Waste Management Board for further consideration. Any rule adopted by the Board shall remain in effect as adopted by the Board in the absence of adverse action by the County Board of Supervisors.

**2-13-11: TRAFFIC FLOW**

All commercial haulers shall use only State trunk and County trunk highways when traveling to and from the Green County Municipal Landfill site.

**2-13-12: PENALTIES AND ENFORCEMENT**

Any person who shall violate any provision of this Chapter, including rules adopted by the Solid Waste Management Board in furtherance of the provisions of this Chapter, shall be subject to the following penalties and actions in enforcement of this Chapter:

- A. A cash forfeiture to Green County of a penalty of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), plus costs, for each such violation, with each day during which said violation exists constituting a separate offense.
- B. An action for an injunction and/or damages to be brought by the Green County Corporation Counsel in appropriate cases to prevent continuing violations, remedy conditions arising from violations, and/or to require violators to compensate the County or other persons who have previously acted to remedy conditions arising from violations of this Chapter or rules promulgated hereunder; and
- C. Debarment from any right, privilege or interest in continued use of the Green County Municipal Landfill site facilities or services, at the discretion of and for such period of time as may be deemed appropriate by the Solid Waste Management Board. (Ord. 83-6-10)

**CHAPTER 14  
NONDISCRIMINATION ON THE BASIS OF HANDICAP**

**2-14-1: POLICY**

It is the policy of Green County not to discriminate on the basis of handicapped status in admission or access to, or treatment or employment in, its programs, services, and activities.

**2-14-2: COMPLIANCE**

The office of the Green County Clerk is designated as the office responsible for coordinating implementation of handicapped nondiscrimination requirements.

**2-14-3: NOTICES TO THE PUBLIC**

Public notice that "Green County does not discriminate on the basis of handicapped status in admission or access to, or treatment or employment in, its programs, services, and activities" shall be posted in all County buildings or offices, and the same shall be included in appropriate County

legal notices, employment announcements, and other public notices published and provided for radio broadcasts. The notice shall also be included in all informational announcements and brochures that are made available to participants, beneficiaries, applicants, and employees of the County.

#### **2-14-4: GRIEVANCE PROCEDURE**

Any County officer, official, or employee who receives a complaint alleging that the County is practicing discrimination on the basis of handicapped status, shall refer such complaints (other than complaints concerning applicants for employment) to the office of the Green County Clerk. The Green County Clerk shall investigate the allegations and attempt to resolve the grievance within twenty (20) days of receipt of the complaint. The complaining party shall receive a written statement from the Green County Clerk regarding the action or actions taken, if any, to resolve the complaint. If the complaining party is not satisfied with the Green County Clerk's determination, he or she may appeal the matter to the Green County Resolutions, Legislative and Judicial Committee. Such appeal must be made in writing to the Chairperson of said Committee within ten (10) days of complainant's receipt of the County Clerk's written statement. The Green County Resolutions, Legislative and Judicial Committee, upon receipt of such an appeal, shall hold a hearing on the matter within thirty (30) days of receipt of the appeal. At any such hearing, the complainant shall have the right to give direct testimony, to call witnesses or present other evidence in support of his/her or her complaint, and to require the presence of any County officer, official, or employee for the purpose of adverse examination. Upon completion of any such hearing, the Committee shall, if it finds that discrimination on the basis of handicapped status exists, make recommendations to the Green County Board of Supervisors as may be necessary to correct or eliminate such discrimination. A written statement of the Committee's findings and recommendations, if any, shall be given to the complainant within ten (10) days following any hearing. (R3-3-84)